

City Council
Atlanta, Georgia

AN ORDINANCE

BY COUNCILMEMBER  FELICIA A. MOORE

AN ORDINANCE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR SUBDIVISION APPLICATION # SD-06-07 (2591 RIDGEWOOD ROAD, N.W.) CONDITIONED ON THE SUBDIVISION APPLICANT TENDERING THREE THOUSAND FIFTY DOLLARS AND NO CENTS (\$3,050.00) INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 9, SAID DOLLAR AMOUNT HAVING BEEN DETERMINED BY THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS TO BE EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION FOR SD-06-07; AND FOR OTHER PURPOSES.

WHEREAS, Section 15-09.003 of the City of Atlanta Code of Ordinances ("Subdivision Ordinance") requires sidewalks to be provided in each subdivision on both sides of existing and proposed streets; and

WHEREAS, the Subdivision Ordinance further provides that the City Council may waive, by resolution, the sidewalk requirement in order to permit the subdivision developer to construct sidewalks of equal or greater length along adjoining streets; and

WHEREAS, the Subdivision Ordinance further provides that the city council may grant such a waiver only if the subdivision developer or the pertinent neighborhood planning unit has formally petitioned the city for said waiver, and only if the city council has received formal comments on said petition from the commissioner of public works and the commissioner of planning, development and neighborhood conservation; and

WHEREAS, the Applicant (hereinafter "Subdivision Developer") for SD-06-07 (2591 Ridgewood Road, N.W.) has formally petitioned the city for said waiver; and

WHEREAS, the city council has received formal comments on said petition from the commissioner of public works and the commissioner of planning, development and neighborhood conservation; and

WHEREAS, upon review of these comments, the city council finds that the construction of sidewalks along the frontage of this subdivision would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

WHEREAS, the city council finds that the City and area residents would be better served by the construction of sidewalks and pedestrian improvements in the area of said subdivision within District 9; and

WHEREAS, the Subdivision Developer has agreed to provide the City funds in the amount of \$3,050.00, which funds, as determined by the Commissioner of the Department of Public Works, are equal to the value of construction of said sidewalks for SD-06-07.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1. That the requirements of Section 15-09.003 of the Subdivision Ordinance requiring sidewalks to be provided on both sides of existing and proposed streets are hereby waived for SD-06-07 (2591 Ridgewood Road, N.W.).

SECTION 2. That the waiver of said requirements for the aforementioned application is conditioned upon the Subdivision Developer first tendering to the City of Atlanta Three Thousand Fifty Dollars and no cents (\$3,050.00).

SECTION 3: That before the Director of Bureau of Buildings issues any building permit for construction within SD-06-07, the tendered funds (\$3,050.00) shall be deposited into Trust Fund Account 7701 (Trust Fund) 250403 (PDC Planning) 3229005 (Sidewalk Waiver Fees Revenue) 7410000 (Planning & Zoning) 600116 (Council District 9 Sidewalk Waiver) 69999.

SECTION 4. That the deposited funds shall only be used for pedestrian improvements and sidewalk construction and only in Council District 9.

SECTION 5: That in the event the Subdivision Developer withdraws the subdivision request this ordinance is void and of no further effect.

SECTION 6: That all other requirements of the Code of Ordinances for SD-06-07 shall remain in full force and effect.

SECTION 7: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.



CITY OF ATLANTA

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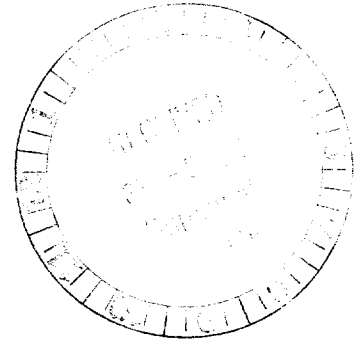
MEMORANDUM

DATE: September 5, 2008

TO: Nina E. Gentry
Department of Planning & Community Development

FROM: Dionne Benton 
Department of Public Works

RE: **Various Developers' Sidewalk Cost Estimates**



At your request, we have determined that the estimated developers' costs for sidewalks along the following locations:

2591 Ridgewood Road	SD-06-07	\$3,050.00
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Work includes concrete sidewalk construction fronting the listed properties. Curb is shown on the plans, so were not included on the estimate. Please contact this office should you require any additional information.

DB/sr

cc: *Cotena Carothers, Department of Public Works*